



ASMFC

# Fisheries *focus*

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## NMFS Publishes the American Lobster Final Rule for Federal Waters

The National Marine Fisheries Service (NMFS) Final Rule for American Lobster was published in the Federal Register on December 6, 1999. The Final Rule transfers authority for lobster management in federal waters from the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) to the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) and establishes new regulations in an effort to implement compatible management measures throughout the range of the resource.

The publication of the Final Rule represents a big step forward in American lobster management. The gap between state and federal regulations has narrowed, and both the Commission and NMFS are now working from the same general management framework.

The Final Rule was much anticipated by all parties interested in American lobster management. NMFS first indicated its intentions to withdraw the New England Fishery Management Council's Fishery Management Plan and issue complementary regulations under ACFCMA in March 1996. Since that time, the Commission approved Amendment 3 to the Interstate Fishery Management Plan for American Lobster in December 1997, with recommendations for consistent actions in federal waters. The Commission has worked diligently to implement Amendment 3 since its approval. Additional management measures to meet the Plan's goals and objectives were adopted through Addendum I to Amendment 3 in August 1999, which also contained recommendations to NMFS to implement provisions of Addendum I in federal waters.

The Final Rule adopts the management framework of Amendment 3 and implements coastwide regulations contained in Amendment 3 (see side bar summary). However, the area-specific management measures contained in Addendum I were not included in the Final Rule, creating different state and federal regulations beginning January 5, 2000.

The area management measures enacted through Addendum I that were not incorporated in the Final Rule include: trap limits; limit on vessel upgrades in Area 3; and closed areas in Area 4. The trap limits in Amendment 3 for Areas 3, 4, 5, and 6 are based on the history of a participant in the lobster fishery, whereas the trap limits in federal waters for the same areas are based on a flat trap cap. The Final Rule is silent on the vessel upgrade and closed area recommendations. A summary of the major differences between the Final Rule and the Commission's Plan can be found in Table 1 (see page 6).

### Summary of American Lobster Fishery Regulations for Federal Waters

(reprinted with permission from the National Marine Fisheries Service Press Guide)

#### Dates

All measures in this plan are effective 30 days after publication of a final rule in the Federal Register with two exceptions. The trap tag program and the requirement for vessels to possess area designation certificates are effective May 1, 2000.

#### Goal

To bring federal permit holders into the coastwide effort to stop overfishing of the American lobster and rebuild the egg production in the stocks to a level supporting a sustainable fishery.

#### Plan Summary

- Continues all existing federal measures (replacing the present marking requirement with trap tagging), including the trip limit for non-trap landings and the moratorium on new entry.
- Transfers management authority for federal waters from the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) to the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA)
- This increases the states' responsibility for lobster management while retaining NOAA Fisheries' responsibility for federal permit holders and complementary measures for federal waters.

*continued on page 6*

*continued on page 7*

***The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and anadromous species. The fifteen member states of the Commission are: Maine, New Hampshire, Massachusetts, Rhode Island, Pennsylvania, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.***

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## Upcoming Meetings

*Year 2000*

***1/11:***

ASMFC American Eel Technical Committee, Best Western Old Colony Inn, 615 First Street, Alexandria, Virginia; (703)739-2222.

***1/12:***

ASMFC Northern Shrimp Section, Holiday Inn by the Bay, Portland, Maine.

***1/13:***

Joint ASMFC Atlantic Herring Section and NEFMC Herring Committee, Holiday Inn by the Bay, Portland, Maine.

***1/13 & 14:***

Mid-Atlantic Take Reduction Team, Holiday Inn, Old Town Alexandria, Virginia; (703)548-6300.

***1/19 & 20:***

New England Fishery Management Council, Sheraton Tara, Danvers, Massachusetts.

***1/21 & 22:***

2000 Long Island Fishermen's Forum, Suffolk County Community College, Eastern Campus, 121 Speonk-Riverhead Road, Riverhead, New York. For more information, contact Christopher Smith or Sonia Tulipano at (631)727-3910.

***1/25 - 27:***

Mid-Atlantic Fishery Management Council, Holiday Inn Select, Old Town, Alexandria, Virginia; (701)519-0897.

***1/27 - 30:***

Massachusetts Lobstermen's Association Annual Weekend and Trade Show, Tara Hyannis Hotel and Resort, Hyannis, Massachusetts.

***2/7 - 10:***

ASMFC Meeting Week (ACCSP Coordinating Council, Administrative Oversight Committee, American Lobster Management Board, American Lobster Advisory Panel, Atlantic Menhaden Management Board, Atlantic Sturgeon Management Board, Committee on Economics and Social Sciences, Habitat Committee, Horseshoe Crab Management Board, ISFMP Policy Board, Law Enforcement Subcommittee, Shad & River Herring Management Board, Shark Management Board, Striped Bass Management Board, Summer Flounder Management Board, Tautog Management Board, and Weakfish Management Board), Radisson Hotel Old Town Alexandria, 901 North Fairfax Street, Alexandria, Virginia; (703)683-6000.

Spending the week after Christmas in warm, sunny southern California, thoughts naturally tend toward the beach. Water and sand meet in an ever-changing ebb and flow. Water and sand, different and yet one together in what our consciousness sees as a unity called the beach. Water in waves constantly transform the sand. Lots of different kinds of waves. Some are large, overpowering, forcing their will over everything in their way. Others lap against the shore with less drama; and yet, as the cutting edge of currents, nonetheless reshape the sand in their own way.

What of this new year/century/millennium? What kind of wave is coming up and across our shoreline? As I write two days before Y2K, it does not seem like a strong storm that, in a few days, will change our landscape markedly. And yet, these are no common currents sweeping along our coastline. Just as the beach is always being reshaped, so too is our world of fisheries policy. Technology, demographics, habitat impacts, communication, information and public demands -- these are the currents, even though often changing, that consistently press upon our shore. Change is constant. How we respond depends upon what we see as the guiding principles for our endeavors. Herewith, then, are a few observations, principles and perhaps truisms to ponder as the waves lap against the shore.

1. **Focus on the long-term.** This is what fisheries management is all about. When we focus on the short-term, we always lose. When we worry about the short-term costs of fisheries conservation, we doom ourselves to continuing down the road that got us into trouble in the first place. We hear it time and again: if we cut back fishing, we'll lose too much. Well, the problem is that if we keep fishing mortality high, we're going to lose a lot more.
2. **Reducing fishing mortality always pays dividends.** Fishing is not the invariable cause of stock declines. But when a stock declines, for whatever reason, it makes no sense to keep fishing mortality levels high, to say nothing of increasing them. Whatever the status of the ecosystem or the cycles of

fish stocks, reducing fishing mortality is a good investment. This is the good news of fisheries conservation and management that we have learned, particularly in the last decade.

3. **Each of us is best served** (in the long-run; see #1, opposite) **by that which serves us all.** We are mutually interdependent. It is called sharing success. There is a dark side to being, and it shows itself in fisheries management when we focus on our own wants and supposed needs; and when we are quick to see others' faults while neglecting to take a good honest look in the mirror.
4. **Nobody's right of access to the fishery is any more valid *a priori* than anybody else's.** A specific level of fishing mortality is either acceptable or bad regardless of what kind of fishery causes it. Conservation would always be easier if we could arrange it so someone else would bear the burden.
5. **Use science, don't abuse it.** Recognize how much it can tell us rather than focus on its limits. We must not pretend that science can give us answers where we have pushed it to its limits. But we should be ready to make the prudent decisions that the scientific information points us to, even if we know we would like to know more. We will always want to know more. Fisheries science is not fisheries management, so we should not delegate management decisions to scientists. But managers must not be afraid to go in the direction that the science indicates. Whatever, remember that the scientists are not to blame.

Hey, here comes another wave. Happy New Year!

# Public Information Document for Addendum I to Horseshoe Crab FMP Available for Public Comment: *States to Hold Hearings in Early January*

On December 23, 1999, the Atlantic States Marine Fisheries Commission announced the release of the Public Information Document for Addendum I to the Horseshoe Crab Fishery Management Plan (FMP) for public review and comment. Specifically, the document presents a suite of options for the implementation of a coastwide landings cap for the commercial horseshoe crab bait fishery prior to the beginning of the 2000 fishing season. State public hearings are scheduled to be held in Massachusetts, New York, New Jersey, Delaware, Maryland, Virginia, and Georgia in early January. The specific details of the scheduled hearings follow:

## **January 6, 2000; 7:00 PM**

Maryland Department of Natural Resources  
Fisheries Service  
Wicomico County Public Library  
122 South Division Street  
Salisbury, Maryland  
Contact: Thomas O'Connell at (410)260-8271

## **January 10, 2000; 7:30 PM**

Delaware Department of Natural Resources and  
Environmental Control Auditorium  
89 Kings Highway  
Dover, Delaware  
Contact: Charlie Lesser at (302)739-3441

## **January 11, 2000; 7:00 PM**

New Jersey Division of Fish, Game and Wildlife  
A-Wing Lecture Hall  
Stockton College  
Ponoma, New Jersey  
Contact: Bruce Freeman at (609)292-2083

## **January 12, 2000; 7:00 PM**

New York Department of Environmental Conservation  
Bureau of Marine Resources  
205 North Belle Meade Road, Suite 1  
East Setauket, New York  
Contact: Byron Young at (516)444-0436

## **January 13, 2000; 7:00 PM**

Massachusetts Division of Marine Fisheries  
Cape Cod Community College  
Main Theater  
Barnstable, Massachusetts  
Contact: Jim Fair at (617)727-3193

## **January 18, 2000; 7:00 PM**

Virginia Marine Resources Commission  
2600 Washington Avenue  
Newport News, Virginia  
Contact: Jack Travelstead at (757)247-2247

## **January 19, 2000; 7:00 PM**

Georgia Coastal Resources Division  
One Conservation Way, Suite 300  
Conference Room  
Brunswick, Georgia  
Contact: Susan Shipman at (912)264-7218

The Horseshoe Crab FMP, which was approved in October 1998, called for the development of a coastwide cap on landings for the commercial bait fishery to be implemented in the year 2000. This past November, the Horseshoe Crab Management Board, with input from the its Advisory Panel, Technical Committee, Plan Review Team and the conservation community, developed a suite of management strategies to cap commercial bait landings. These options have been incorporated into a Public Information Document. The Management Board is scheduled to review all public comments and take final action on the coastwide cap at its next meeting, sometime during the Commission's February Meeting Week (2/7-10/2000).

Copies of the Public Information Document for Addendum I can be obtained by either contacting Jeanette Braxton, Administrative Assistant, at (202)289-6400 or via the Commission's webpage on its Public Input page at <http://www.asmfc.org>. Comment on the Public Information Document will be accepted until January 21, 2000. Comments should be forwarded to Thomas O'Connell, Horseshoe Crab Fishery Management Plan Coordinator, at the Maryland Department of Natural Resources, Fisheries Service, Tawes State Office Building, C-2, 580 Taylor Avenue, Annapolis, Maryland 21401. For more information, please contact Thomas O'Connell at (410) 260-8271 or [toconnell@dnr.state.md.us](mailto:toconnell@dnr.state.md.us).



# House Committee on Natural Resources Investigates Allegations of Abuse within the Federal Aid in Sport Fish and Wildlife Restoration Programs

This past July, the U.S. House Committee on Natural Resources conducted an oversight hearing following accusations of mishandling and misuse of federal aid funds in the programs for the Pittman-Robertson & Dingell-Johnson Acts. The accusations came in the wake of findings reported by the General Accounting Office (GAO). The GAO has been investigating a number of allegations of misuse of the Federal Aid funds. Accusations that led to the GAO investigation were presented by a 31-year veteran of the U.S. Fish and Wildlife Service (USFWS) during the July hearing. Mr. Jim Beers testified that he was forced out of his federal job because he had differed with his superiors over whether to approve a request for grant money for The Fund for Animals and his involvement in the negotiation of an international agreement concerning humane trapping standards. "I dedicated my professional career to wildlife conservation," Beers testified. "I am appalled at the way I see conservation funds being looted and used to fund government and private efforts to undercut hunting, fishing, trapping, and the state agencies that manage them. Today's U.S. Fish and Wildlife Service is fostering an agency-wide climate that promotes these diversions and abuses."

Barry Hill, GAO Associate Director, testified about a number of areas of concern the GAO uncovered in the USFWS' handling of administrative funds. Some of the GAO findings include:

- Inadequate controls over expenditures and revenues
- Inadequate controls over grant funds used by the USFWS Director
- Inadequate controls over the management and oversight of administrative grants
- Inconsistent use of administrative funds among regional offices
- No routine audit program exists for reviewing the use of administrative funds

"In each area where administrative funds are used, there are problems," Hill testified. "These include ineffective management oversight, inadequate internal controls, and inadequate policies and procedures for reviewing and approving administrative expenses. Collectively, these conditions have spawned a culture of permissive spending. This situation raises questions about whether the Office of Federal Aid is meeting its management responsibilities."

"We found that the Office of Federal Aid is not adequately managing program funds - for either grants or administration," Hill said. "As a result, it has been unable to track millions of dollars in program funds."

During his opening statement, U.S. Rep. Don Young (R-Alaska), the Chair of the Resources Committee said: "This hearing is about stealing conservation dollars to float the Fish and Wildlife Service. The GAO and our investigative staff found big abuses. And they found small abuses...We have just scratched the surface of these abuses - abuses that total millions of dollars over the years...Instead of conservation dollars being spent through the states on useful wildlife projects as Congress mandated in law, they are being stolen, stolen for other purposes."

Two more hearings in the Resources Committee have followed on September 29 and October 26, 1999, respectively. During the September hearing, further allegations of abuse and misconduct were heard by Bonnie Kline, an eight-year USFWS employee. Ms. Kline told the Committee that her superiors had ordered her not to cooperate with the Federal Bureau of Investigation or other federal investigators, including the Resources Committee investigation. Kline also testified that she was instructed to destroy computer files dating from October 1997 through January 1998 -- files that she said were now missing. Kline also testified that after refusing to destroy the files, she lost her security clearance and the combination to her safe in which the files were stored, was changed.

The October 1999 hearing presented a final opportunity for the Interior Department's Assistant Secretary Donald Barry to testify before the Resources Committee regarding allegations of improper spending of fish and wildlife conservation funds. Following the 3 ½ hour hearing, in which only Donald Barry and Jamie Clark, Director of the USFWS, remained at the witness table, disappointment reigned among the committee members. Chair Young stated, "I'm extremely disappointed that detailed questions continually received scripted and repetitive answers which were vague at best, or inaccurate at worst. The Department of Interior has known about most of these allegations for more than three months. Yet, today they came before us and failed to answer virtually every question we asked about these serious allegations." Chair Young vowed that the "issues will remain as a top priority until we find out who was involved and who allowed this travesty to occur."

Proposed legislation directed at "fixing" perceived problems in way the USFWS administers the Federal Aid in Sport Fish and Wildlife Program under legislative authority of the Wallop-Breaux and Pittman-Robertson Acts is anticipated early in the next session of Congress. For more information, please contact Richard Christian, Sport Fish Restoration Coordinator, at (202)289-6400.

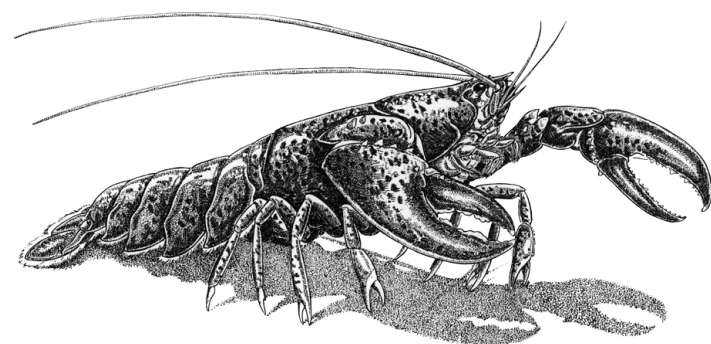
# NMFS Publishes the American Lobster Final Rule for Federal Waters (continued from page 1)

Table 1. Summary of different management measures contained in Amendment 3/Addendum I and the Final Rule

Management Measure	Amendment 3/Addendum I	Final Rule
<i>Area 2 trap limits</i>	1,000 traps in 2000; 800 traps in 2001	1000 traps from 1/5/2000-4/30/2000 800 traps effective 5/1/2000
<i>Area 3 trap limits</i>	Cap set at individual historical levels, then decreasing by 20%	2000 traps from 1/5/2000-4/30/2000 1800 traps effective 5/1/2000
<i>Area 4 trap limits</i>	Cap set at individual historical levels	1000 traps from 1/5/2000-4/30/2000 800 traps effective 5/1/2000
<i>Area 5 trap limits</i>	Cap set at individual historical levels	1000 traps from 1/5/2000-4/30/2000 800 traps effective 5/1/2000
<i>Area 6 trap limits</i>	Cap set at individual historical levels	1000 traps from 1/5/2000-4/30/2000 800 traps effective 5/1/2000
<i>Area 3 vessel upgrade limits</i>	Limit on vessel upgrades from January 1, 2000 through December 31, 2001	No limit on vessel upgrades
<i>Area 4 closed areas</i>	Four areas, representing 11% of Area 4, closed to trap fishing	No closed areas
<i>Maximum trap size</i>	22,950 cubic inches in all areas except Area 3, allwhere traps may not exceed 30,100 cubic inches	33,110 in <sup>3</sup> in Area 3 and 25,245 in <sup>3</sup> in other areas from 1/5/2000-4/30/2003; 30,100 in <sup>3</sup> in Area 3 and 22,950 in <sup>3</sup> in all other areas effective 5/1/2003
<i>Tag issuance</i>	Renew tags by June 1 of each year	Renew tags by May 1 of each year

Since the publication of the Final Rule, NMFS announced a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) to evaluate the implementation of the Commission's recommendations that were not incorporated in the Final Rule. The comment period on the NOI is open until January 10, 2000.

In addition, NMFS sent a letter to federal permit holders, clarifying the Long Island Sound trap limits. The federal lobster regulations specify that the most restrictive regulations applicable to a permit holder apply in all areas fished by that permit holder. However, federal permit holders fishing only in Long Island Sound, where the entire management area (Area 6) is state waters, are subject to the state regulations only. Therefore, the number of traps a federal permit holder who fishes only in Area 6 will be based on the state regulation for historical participation, and will not be held to federal limit of 800 traps.



The Commission is committed to the continued refinement of the American lobster management program in order to achieve the goals and objectives established in Amendment 3. For more information on the lobster management program, please contact Amy Schick, Fisheries Management Plan Coordinator, at (202)289-6400 or [aschick@asmfc.org](mailto:aschick@asmfc.org).

For more information on the Final Lobster rule, contact (978)281-9278 or access the Northeast Regional Office's website at [www.nero.nmfs.gov/ro/doc/nero.html](http://www.nero.nmfs.gov/ro/doc/nero.html).

## Summary of American Lobster Fishery Regulations for Federal Waters (continued from page 1)

- Requires NOAA Fisheries and the lobster industry to work through the Commission, rather than a regional fishery management council, to devise measures for ending overfishing, rebuilding egg production, and conducting sustainable fishing
- Federal measures must still be consistent with the national standards for fishery management plans specified in the MSFCMA
- Future measures for federal waters to be modified in conjunction with Interstate Plan adjustment and the response of the stock to rebuilding measures.

### Who's Affected

Federal Lobster Permit Holders

### What's the Same

1. Moratorium on issuing new federal lobster permits
2. No possession of egg-bearing lobsters or lobsters from which eggs have been removed
3. No possession of lobster parts
4. No possession of "v-notched" lobsters
5. Traps must have biodegradable "ghost" panel, escape vents, and identifying markers (trap tags)
6. No possession of lobsters smaller than 3-1/4 inch carapace length
7. Each person on head, charter, or dive vessels may possess no more than 6 lobsters
8. No interstate or international trade in live lobsters smaller than the federal minimum size
9. Non-trap landings limited to 100 lobsters per day and no more than 500 per trip of 5 days or more
10. Fishing year begins May 1 and ends April 30 of the following year

### What's New for Federal Permit Holders to Complement Interstate Fishery Management Plan

1. Work with the Commission, rather than a regional fishery management council, to recommend and advise on future plan development and adjustment
2. Moratorium on new entry into federal waters extended indefinitely
3. Adopts lobster management area boundaries as described in the ISFMP Amendment 3
4. Requires annual selection of fishing areas. Any and all areas may be selected, and choices apply for the entire fishing year. If more than one area is selected, the most restrictive of the rules in effect for any one of the areas will apply at all times in all areas.
5. If fishing for lobster in any area except Area 3 only, or only Area 3 and the Area 2/3 Overlap:
  - \* fish no more than 1000 pots in fishing year 1999 and 800 pots in fishing year 2000
  - \* trap limits may be adjusted to achieve conservation goals and/or complement future ISFMP adjustments
  - \* use no pot larger than 25,245 cubic inches
  - \* after May 2003, use no pot larger than 22,950 cubic inches

6. If fishing for lobster in Area 3, or only Area 3 and the Area 2/3 Overlap:
  - \* fish no more than 2000 pots in fishing year 1999 and 1800 pots in fishing year 2000
  - \* trap limits may be adjusted to achieve conservation goals and/or complement future ISFMP adjustments
  - \* use no pot larger than 33,110 cubic inches
  - \* after May 2003, use no pot larger than 30,100 cubic inches.
7. In Area 1, retain no lobsters larger than 5" carapace length
8. Increase trap escape vent size by 1/16 in. (from 5-3/4 in. x 1-14/16 to 5-3/4 in. x 1-15/16 in.)
9. Purchase and use on each trap one trap tag (replaces present gear marking requirements, effective May 2000)

### Measures for Non-trap, Recreational and Charter/Party

Lobster permit holders who use non-trap gear can presently retain 100 lobsters per day-at-sea, and no more than 500 per trip, regardless of trip length. This is unchanged. In addition, these permit holders must abide by the 5" maximum legal size if fishing in Area 1. Possession limits for charter/party and recreational vessels (including dive vessels) are also unchanged, at six lobsters per person. These persons must also abide by the 5" maximum legal size if fishing in Area 1.

### How the Plan Can Be Modified

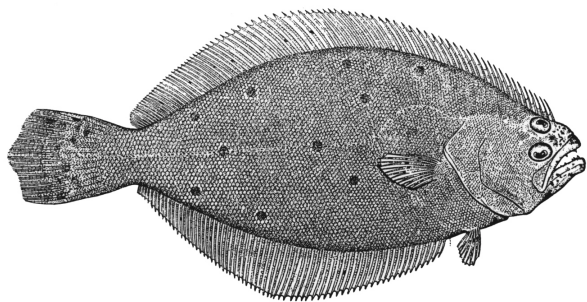
NOAA Fisheries will work in cooperation with the Commission to develop measures and plan adjustments, including conservation equivalent alternatives, throughout the stock rebuilding period. Will promulgate, as necessary, measures to complement the interstate plan, and meet plan objectives.

A peer-reviewed assessment is in progress under the guidance of the ASMFC to review the status of lobster populations. This will help determine the extent to which current and proposed management measures will achieve the plan objectives.

Within the Commission process, the industry is represented via participation on seven lobster conservation management teams, one for each Area designated in the plan. These teams have met since the Interstate Plan was approved and several have submitted alternative measures for consideration.

The Commission has recently endorsed development of new measures to further control lobster fishing effort based on historical participation in Areas 3, 4, 5, and 6. On September 1, 1999, NOAA Fisheries published a notice seeking public comment on considering historical participation measures in federal waters. This will be the subject of future rule making.

You can find the final rule in the federal register: [http://www.gpo.gov/su\\_docs/aces/aces140.html](http://www.gpo.gov/su_docs/aces/aces140.html) OR on the NEFS Northeast Region web site: <http://www.nero.nmfs.gov/ro/doc/nero.html>



## ASMFC & MAFMC Set Year 2000 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass

The Commission's Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fishery Management Council (Council) met jointly on December 8, 1999 to recommend management measures for year 2000. Specifically, the Board and Council recommended recreational management measures for summer flounder, scup, and black sea bass for the year 2000.

### Summer Flounder

The Board and Council met in August 1999 and recommended that the summer flounder recreational harvest limit for year 2000 be held constant at 7.41 million pounds. Therefore, at the December 1999 meeting it was the goal of the Board and Council to develop a set of management measures that will limit the summer flounder recreational fishery to 7.41 million pounds.

During 1999, the states implemented management measures to reduce recreational landings by 40 percent relative to 1998. While these measures reduced the landings substantially, preliminary landings data through the end of October 1999 indicate that the 40 percent reduction was not achieved. Because of the complexity of varying state measures and the difficulty of evaluating the required reductions in 1999, the Board and Council decided to again use the 1998 data to determine the reductions needed to achieve the harvest limit for year 2000. The Board and Council also decided to use numbers of fish rather than pounds of fish to establish the reduction required for year 2000.

Based on the above decisions, the Board and Council developed the following coastwide alternative for summer flounder: a 15.5-inch minimum size, an eight-fish possession limit and an open season from May 10 through October 2, 2000. As in 1999, the states will have the option, through conservation equivalency, of implementing the coastwide alternative or implementing state-specific management measures. If a state opts to implement state-specific management measures, the measures must achieve a 41 percent reduction in the number of summer flounder relative to 1998. The states are currently determining what management measures will be implemented for year 2000. The final regulations will be published in a future edition of *ASMFC Fisheries Focus*.

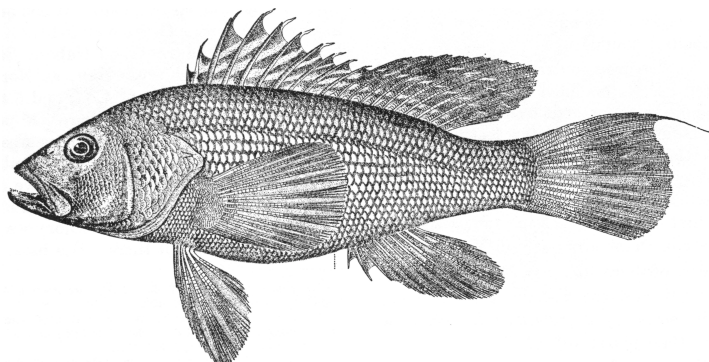
### Scup

The recommended recreational harvest limit for scup for year 2000 is 1.238 million pounds, which is unchanged from 1999. The projected recreational scup landings for 1999 are 1.833 million pounds, which is 32 percent above the harvest limit. To further reduce landings to achieve year 2000 targets, the Board and Council recommended a seven-inch minimum size, a 50 fish possession limit and no seasonal closures for the recreational fishery. The Board and Council also discussed the impacts of implementing seasonal closures to achieve the harvest limits. Commission staff is currently conducting analysis to determine the impacts of seasonal closures of different regions of the coast.

### Black Sea Bass

The Board and Council recommended a black sea bass harvest limit of 3.148 million pounds for the year 2000. The 1999 landings of black sea bass are projected to be substantially below the harvest limit. Therefore, the Board and Council recommended no changes to the black sea bass recreational management measures for the year 2000. The recommended measures maintain the 10-inch minimum size limit, no possession limit, and no seasonal closure.

For more information, please contact: Robert Beal, Fisheries Management Plan Coordinator, at (202) 289-6400, ext.318.



# Atlantic Herring Section to Discuss Adjustments for 2000 Fishing Season; Development of a Controlled Access System

On January 13, 2000, the Atlantic Herring Section will meet jointly with the New England Fishery Management Council's Herring Oversight Committee to discuss possible adjustments to their respective fishery management plans (FMPs) for the upcoming year. Since this is the first joint meeting of the two bodies following the National Marine Fisheries Service's partial approval of the Council's FMP, much of the discussion will focus on the potential and real impacts this has created on the regulatory regime for herring, especially in the Gulf of Maine. The Section and Committee may consider and develop recommendations on adjustments to spawning closures, adjustments to area-specific total allowable catches, possible measures to prolong the fishing season, and measures to address gear use issues in the Gulf of Maine.

The other major topic of discussion will be the continued development of a controlled access system for the Atlantic herring fishery. A draft scoping document has been prepared and will be reviewed at this meeting. Although the Section has not committed to developing a new amendment to address controlled access in state waters, members have been willing to play an active role in the discussions surrounding the issue.

For more information please contact: Dr. Joe Desfosse, Atlantic Herring Fishery Management Plan Coordinator, at (202) 289-6400.

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## Red Drum Amendment to be Initiated; Northern Substock Remains Below Target Level

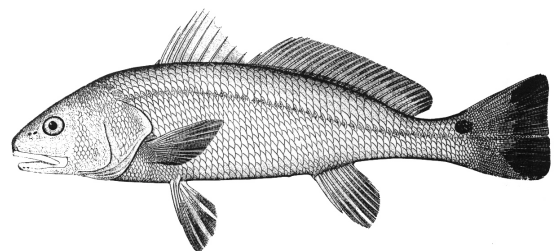
The Commission's South Atlantic State-Federal Fisheries Management Board has recommended that Amendment 2 to the Red Drum Fishery Management Plan (FMP) be prepared in 2000. This action took place during the Board's meeting in Wrightsville Beach, North Carolina, on December 1, 1999, and came in response to the latest stock assessment information presented earlier that day. The Board met in a joint session with the South Atlantic Fishery Management Council's Red Drum Committee and Advisory Panel, and the North Carolina Marine Fisheries Commission to hear the latest assessment results for the northern substock of red drum.

Red drum is currently managed under Amendment 1 to the Red Drum FMP, which was adopted by the Commission in 1991. The Atlantic red drum population is currently assessed as two geographically separate groups. There is a northern substock which ranges from the North Carolina/South Carolina border north, and a southern substock which occurs south of there. This division is based partly on differences in migration patterns as evidenced by tagging studies, and on the differences in management regimes and fisheries in the northern and southern areas.

Based on the most recent assessment, the northern substock of red drum is still below the 30% SPR (Spawning Potential Ratio) target identified in Amendment 1. The current esti-

mate for the northern substock is 18-23% SPR, which is much higher than it has been for quite some time (SPR was about 1% from 1986-91). However, this is probably an overly optimistic estimate of stock status since the assessment does not account for any discard mortality in the North Carolina commercial fishery or the recreational net fisheries in both North Carolina and Virginia. Amendment 2 should address reconciling the overfishing definition and rebuilding targets between the South Atlantic Council and Commission FMPs, possible delineation of separate management areas to reflect the regional differences and updating the FMP to conform to the new standards for Commission plans as a result of the Atlantic Coastal Fisheries Cooperative Management Act.

For more information please contact: Dr. Joseph Desfosse, Red Drum Fishery Management Coordinator, at (202) 289-6400.





## ACCSP 2000

The Atlantic Coastal Cooperative Statistics program (ACCSP) spent the end of 1999 busily getting things ready to move forward in the year 2000. This included coming to a consensus on the confidentiality language in the Program Design and preparing to implement the approved budget proposals.

Mike Cahall, Information Systems Program Manager, has made visits to Florida and Georgia to set the stage for routine data feeds from these partners' commercial trip ticket systems. Additional meetings are planned with the National Marine Fisheries Service Northeast Region (NMFS/NE) and the State of North Carolina. It is anticipated that the ACCSP system will 'go-live' during the fourth quarter of 2000. A decision on the host site location is scheduled for February.

Year 2000 goals include completing the designs for the biological and discard modules (to include at-sea sampling); additional work on the permitting module, as well as implementation of the approved for-hire pilot study in South Carolina.

A meeting is being planned among representatives from Rhode Island, North Carolina, Georgia and NMFS/NE in anticipation of the commercial trip ticket initiative in Rhode Island. The intent of this meeting is for Rhode Island personnel to gain insight from lessons learned by the other participants during the implementation of their own commercial trip ticket systems.

This year the Outreach Committee's main goals are to fully develop ACCSP's long-term outreach strategy, and imple-

ment its short-term outreach strategy for 2000. The ACCSP Outreach Coordinator Workshop, a component of both the short- and long-term strategies, will be held on February 18, 2000, in St. Petersburg, Florida. The Workshop will be attended by information and education personnel from each partner agency and will serve two purposes: (1) educate and inform partner outreach personnel about the program, and (2) garner support from partner outreach coordinators in disseminating information about the program to their own constituencies. The Outreach Committee also is working with a graphic artist to design an ACCSP logo, which should be completed in time to be presented at the upcoming Workshop.

Year two of the Social/Economic Pilot begins soon and will include personal interviews with blue crab commercial fishermen in Georgia and summer flounder commercial fishermen in the Northeast. The Commission's Committee on Economics and Social Sciences has devoted a great deal of time to formatting and the survey instruments to be used. Charlie Treat of Tricorn International was contracted to conduct focus groups of commercial fishermen to discern the best methods to inform the industry about the upcoming survey. Mr. Treat's report also will be utilized by the Outreach Committee to formulate the long-term outreach strategy.

For more information, please contact Joe Moran, ACCSP Program Manager, at (202)289-6400, or by email at [jmoran@asmfc.org](mailto:jmoran@asmfc.org). Questions on data management issues may be referred to Mike Cahall, ACCSP Information Systems Program Manager, at (301)713-2328, or by email at [mcahall@asmfc.org](mailto:mcahall@asmfc.org). The ACCSP web site may be accessed at <http://www.accsp.org>

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## Delaware River Basin Shad Aging Workshop

On December 9 & 10, 1999, the Delaware Department of Natural Resources and Environmental Control hosted an American Shad Aging Workshop. The workshop was held in scenic Smyrna, Delaware at the Mallard Lodge, where natural marsh settings inspired over 20 attendees to further monitoring objectives for American shad.

The need for a shad aging workshop was derived from general agreement amongst the Commission's Shad Technical Committee members that standardization of sample collection and processing would lead to a greater degree of confidence in data and the analysis which results. Consequently, the workshop focused on hard and soft tissue sample preparation. Specifically, the workshop covered removal of scales from live fish, otolith extraction as well as storage, slide mount-

ing, and reading of tissue samples. Participants agreed that Cating's methodology should be employed to standardize aging techniques for American Shad.

Upon initial comparison of scale aging outcomes to that of otolith aging outcomes there was some notation that the two methodologies can lead to differing age determinations. More research is expected to occur on the comparison of the two techniques as more known age hard tissue samples become available.

For more information on the findings of this aging workshop, please contact Heather Stirratt, Fisheries Management Plan Coordinator, at (202)289-6400 ext. 301.

# *Atlantic Coastal News Bites*



**Sea Turtle Protection.** On December 13, 1999, the National Marine Fisheries Service (NMFS) published notice of a 30-day additional requirement that shrimp trawlers operating along the northern Florida Atlantic coast use turtle excluder devices with larger escape openings (expanded from 35 inches to 71 inches in width) to better protect leatherback sea turtles. This action was taken after 15 leatherback carcasses were found along Florida beaches. On December 16, 1999, NMFS published notice of a 30-day closure of the lower half of Pamlico Sound, North Carolina, to fishermen using large-mesh gillnets to catch flounder. Between November 1, 1999 and December 4, 1999, a total of 74 turtles (39 of which were Kemp's ridley) stranded and died in Pamlico Sound. [Federal Register, Associated Press, Raleigh News & Observer]

**Longline Closures.** On December 13, 1999, the National Marine Fisheries Service announced the issuance of proposed regulations to close areas of the Atlantic Ocean and Gulf of Mexico to pelagic longline fishing for vessels fishing with federal permits for Atlantic highly migratory species from March 1 through September 30 annually. The intent is to reduce the bycatch of finfish and the incidental catch of turtles, marine mammals, and sea birds. A total of 12 public hearings on this proposal are scheduled between January 4, 2000 and February 9, 2000. [NMFS notice, Federal Register]

**Rhode Island Oil Spill Settlement.** On December 9, 1999, insurance carriers agreed to pay, subject to court approval, \$10 million to 110 Rhode Island lobstermen, fishermen, and fishing-related businesses whose livelihoods were damaged by the January 1996 North Cape barge grounding and heating oil spill in Block Island Sound near Point Judith. On December 21, 1999, U.S. District Court Judge Ernest Torres announced approval of the agreement between Eklof Marine Corp. and Rhode Island lobstermen. On December 22, 1999, a tentative agreement was announced for environmental damages, including more than \$16 million to be spent on restoring fish stocks and other resources. Between \$8 million and \$10 million would be spent to purchase 1.24 million female lobsters from wholesalers to be reintroduced into the fishery with markings making them illegal to land. This agreement must be approved by the court.} [Boston Globe, MSNBC, Associated Press, NOAA press release]

**Lobster Mortality.** On December 7, 1999, Connecticut Governor John Rowland sent a letter to Secretary of Commerce William Daley requesting federal disaster aid for the Long Island Sound fishery affected by the lobster die-off. On December 9, 1999, New York Governor George Pataki sent a letter to Secretary of Commerce William Daley requesting federal disaster aid for the fishery affected by the lobster die-off. [Associated Press, Long Island Newsday]

**Lobster Trap Limit.** On December 6, 1999, the National Marine Fisheries Service published new regulations limiting the number of lobster traps that may be fished after May 1, 2000 to not more than 800 per vessel in federal offshore waters, designating lobster management areas, and requiring tags be purchased for all lobster traps. Primary management authority for lobsters is transferred to the Atlantic States Marine Fisheries Commission to assure that state and federal regulations are complementary. [Associated Press, Environment News Service]

**Dam Removal.** On December 1, 1999, U.S. Marines were scheduled to use explosives to demolish 12-foot high Rains Mill Dam on the Little River in the Neuse River drainage, North Carolina, providing migratory fish (alewife, American shad, hickory shad, Atlantic sturgeon, shortnose sturgeon, and striped bass) access to 49 miles of habitat. [Environment News Service]

**Sargassum Fishery.** In late November 1999, the National Marine Fisheries Service (NMFS) rejected a recommendation by the South Atlantic Fishery Management Council that would have terminated an annual 25-ton sargassum harvesting and processing operation. NMFS asserted that limited sargassum harvesting would not violate the Council's habitat management plan for sargassum and that no adverse impact of harvesting sargassum had been shown. [Carteret County (North Carolina) News-Times]

*The above information was compiled for the U.S. Congress by the Congressional Research Service, and downloaded from HDRFISH@listserv.tamu.edu, a service of the Human Dimensions in Recreational Fisheries Committee of Texas A&M University, Wildlife and Fisheries Department.*

## Fred Rice Sets State Record

In early November, Pennsylvania's Governor's Appointee to the Commission, Fred Rice landed the the state's largest small mouth bass by weight. Accompanied by his wife Joan while fishing above the Amity Bridge on the Susquehanna River, Fred caught a 22 1/2-inch, 5 3/4-pound small mouth bass with a six-inch girth on a stone cat eight pound test line. Fred would have set the state record for length if a fellow Pennsylvanian had not caught a 22 3/4-inch fish the following week. Congratulations, Fred!

**Atlantic States Marine Fisheries Commission  
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Washington D.C. 20005**

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